

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

Original Application No.330/00058/2021

This the 14th Day of January, 2021

Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)

1. Manjari Chakraborty J.T.O (Retd) aged about 60 years, W/o Sri Shyamal Kant Chakraborty, Resident of House No.358 Kazi Khera Lal Bangla Harjinder Nagar, Kanpur, Uttar Pradesh – 208007.
2. Ram Krishna Pathak J.T.O. (Retd), Chemistry DGQA, Kanpur, aged about 60 years, Son of Sri Sali Gram Pathak, O/o CQA (M) Ashok Path, Kanpur – 209004. Resident of House No.54-A, Near, Central Bank, Yashoda Nagar, Kanpur, Uttar Pradesh – 208011.
3. Ram Kumar Bharti J.T.O. (Retd) aged about 60 years S/o Late Sri Ram Bilas Bharti, O/o CQA (PP) Ashok Path Kanpur – 208004. Resident of House No.31/3, Babu Purwa Colony, Kanpur.
4. Anil Kumar Bhatnagar J.T.O. (Retd) aged about 60 years S/o Sri Cyan Swarup Bhatnagar, O/o CQA (M) Ashok Path, Kanpur – 208004 Resident of House No. S- 84 Ravindra Nagar Yoshoda Nagar Kanpur.
5. Sunil Chandra Kariyar J.T.O. (Retd) aged about 60 years S/o Sri Cheedi Lal, O/o CQA (M) Ashok Path, Kanpur – 208004. Resident of House No. J-381 Awas Vikas No.1 Kesav Puram, Kalyanpur Kanpur – 208017.
6. Ram Shanker Shukla, J.T.O. (Retd) aged about 60 years S/o Sri Jagdish Prasad Shukla, O/o CQA (M) Ashok Path, Kanpur 209004. Resident of House No.125/63 L, Blok Flate No.201-II Floor, Space Apartment Govind Nagar Kanpur – 208006.
7. Ravi Sbnakar Bajpai, J.T.O. (Retd) aged about 60 years S/o Sri Krishna Kant Bajpai, O/o CQA (M) Ashok Path Kanpur – 208004. Resident of House No.107 Ganga Nagar Housing Society Patrakar Puran, Water Tank Road, P.O. Nawabganj, Kanpur – 208002.
8. Krishna Kumar, J.T.O. (S) Chemistry CQA (P.P.) DGQA, Kanpur aged about 60 years, Son of Sri Tula Ram Verma, Resident of House No.1319 W2 Basant Vihar Near Kesa House Basant Vihar Naubasta Kanpur, Uttar Pradesh – 208021.

..... **Applicants**

By Advocate: Shri Anil Kumar Singh

Versus

1. The Union of India through the Secretary, Ministry of Defence Production 136 South Block, New Delhi 110011.
2. The Director General of Quality Assurance Government of India, Ministry of Defence Production – DGQA, 308-A D-1 Wingh, Sena Bhawan New Delhi – 110011.
3. Additional Director General Quality Assurance (Stores), Department of Defence Production Government of India, Ministry of Defence, D.H.Q. Post Office New Delhi – 110011.
4. Additional Director General of Quality Assurance (Administration), Department of Defence Production Government of India, Ministry of Defence, D.H.Q. Post Office New Delhi 110011.
5. Controller, CQA (M), CQA (PP) Kanpur.

..... Respondents

By Advocate: Shri Chakrapani Vatsyayan

O R D E R

By Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

Heard learned counsel for the applicants, learned counsel for respondents on admission and perused the record.

2. All the applicants are aggrieved due to non-payment of amount of Leave Encashment to them after their retirement. At the very outset learned counsel for the applicants submitted that all the applicants have moved representations, claiming for the same, copies whereof have been annexed collectively as Annexure A-2 to the OA, which are pending consideration before the respondents and no order has been passed till date.
3. Learned counsel for the applicants submitted that the applicants will be satisfied at this stage, if the respondent concerned, who is competent authority, is directed to decided those pending representations of the applicants, by a reasoned and speaking order in accordance with law and in the light of the Office Memorandum dated 02.03.2016 (Annexure A-1) and the judgment dated 17.11.2020 passed by the Hon'ble Delhi High Court in

the case of Sh. S.B. Singh vs. National Textile Corporation (Annexure No.3), in a time bound manner.

4. In view of the limited prayer made by learned counsel for the applicants, no fruitful purpose will be served in keeping this matter pending and it is disposed off finally at the admission stage with the direction to the Competent Authority amongst the respondents, to decide the pending representations of the applicants dated 18.11.2020 (Annexure A-2 of the OA), by a reasoned and speaking order in accordance with law and in the light of the Office Memorandum dated 02.03.2016 (Annexure A-1 to the O.A.) and the judgment dated 17.11.2020 passed by the Hon'ble Delhi High Court in the case of Sh. S.B. Singh vs. National Textile Corporation (Annexure No.3), in case it is applicable to the instant O.A., as it was a matter relating to employees of National Textile Corporation whereas the present case is related to production unit of Defence Services, CQA, within a period of three months from the date of receipt of a certified copy of this order. The order so passed shall be communicated to the applicants without any delay.

5. With the aforesaid direction, the OA is finally disposed of at the admission stage.

6. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

7. There shall be no order as to costs.

**(Justice Vijay Lakshmi)
Member (J)**

HLS/-